

MAN WHO "LOST" DEER PROOF DEAD

Mystery in Fate of Accounts on Which Grand Jury Based Indictment.

MEMORY OF WITNESS BLANK ON CONTENTS

Contained Data Alleged to Show Companies Juggled with Figures Indicating Profits.

GOVERNMENT WINS POINT

Judge Allows the District Attorney and an Expert to Search Morris Records Outside of Court.

[SPECIAL DESPATCH TO THE HERALD.]

CHICAGO, Ill., Friday.—Books from which the federal grand jury obtained part of its evidence of the packers' alleged restraint of trade were destroyed after they were returned from the court room, according to testimony brought out in Judge Carpenter's court today.

The man upon whom responsibility for their destruction was placed is now dead, according to Emil W. Schmutz, beef cost accountant for Morris & Co., who was a witness today. The books in question contain the computations made by Mr. Schmutz in arriving at the manufacturing cost from which profits in the sale of fresh meats have been figured.

Although Mr. Schmutz admitted he and District Attorney Wilkerson had gone over these books in detailed explanation to the grand jury, every trace of his memory concerning them was as completely absent as were the books.

Hundreds of pounds of books, entries in which, according to the government's contention, disclose methods of concealing profits used by the packers, were brought into court this morning. A sudden jump shown by the entries from an allowance of \$200 for the sale of hides for the month of February, 1909, to \$35,874 for April of the same year and \$39,775 for May, 1909, shows the means by which the income from by-products may be judged, according to the government's explanation.

As this income from by-products, which reaches enormous proportions, is supposed to be deducted from the cost of preparing the meat for market in figuring profits on fresh meat sales, the failure to credit an item that amounts to millions of dollars a year might indicate that the business was being conducted at an actual loss, while in reality there were unduly large profits, declare the government counsel.

An important point was won by the government when Judge Carpenter today granted Mr. Wilkerson and an expert accountant permission to examine these books outside the sessions of court. The books are the general journals and ledgers of Morris & Co. for the period between 1906 and 1910.

Counsel for the defense protested against the ruling of the court, and insisted that the object of the government was to search for evidence.

"They are going on a fishing expedition for evidence," said Attorney Buckingham, representing the Swift & Co. group of defendants. "If they want certain items let the witness they have called point them out and have them put in evidence. These books contain confidential information, and their examination by the government should be limited to the purpose of this inquiry."

"The books are the property of the corporation, and not of the individual defendants, and I believe the government should be permitted to examine them," said Judge Carpenter in ruling on the question. "The government will limit its investigation to the subject of fresh meat and the disposition of the by-products."

H. A. Timmins, chief accountant for Morris & Co., who brought the books into court, was on the stand when court adjourned.

DR. WEBSTER TELLS HOW HE SLEW WIFE

Pleads Guilty in Trial and Describes Tragedy in Lonely Ravine in Illinois.

[SPECIAL DESPATCH TO THE HERALD.]

OREGON, Ill., Friday.—On the first anniversary of his marriage, Dr. Harry E. Webster, in the Ogle County Circuit Court here today, pleaded guilty to the murder of his wife, Mrs. Bessie Kent Webster, in the woods between Dixon and Polo, Ill., last September. Dr. Webster had entered a plea of not guilty, but this was changed at the opening of his trial.

The physician declared to the court he was aware that he was entitled to a trial by jury, and that he made the plea of his own free will. After the State had placed several witnesses on the stand to tell of the finding of the woman's undelivered body in the forest ravine, Sheriff Delaney told of Dr. Webster's confession after his arrest in Chicago.

Dr. Webster in his confession had said he started from Dixon in a buggy with his wife and that they quarrelled. "Bessie jumped out," he said in the confession, "and I threw her handbag at her. She ran screaming down into a wood, a sort of ravine. I ran after her, several blocks. I guess she stumbled and fell as I neared her, and I fell over."

"She was screaming and I slashed at her head with my knife. Then I cut at her throat. I backed at her until she stopped yelling. I don't know how long it was. The next thing I remember I was lying on the grass exhausted. Then I climbed into the buggy and drove back to Dixon. I don't remember whether I disposed Bessie's body or if I covered it with leaves."

Judge Farrand will defer sentence until next week.

KILLED BY ELEVATED TRAIN.

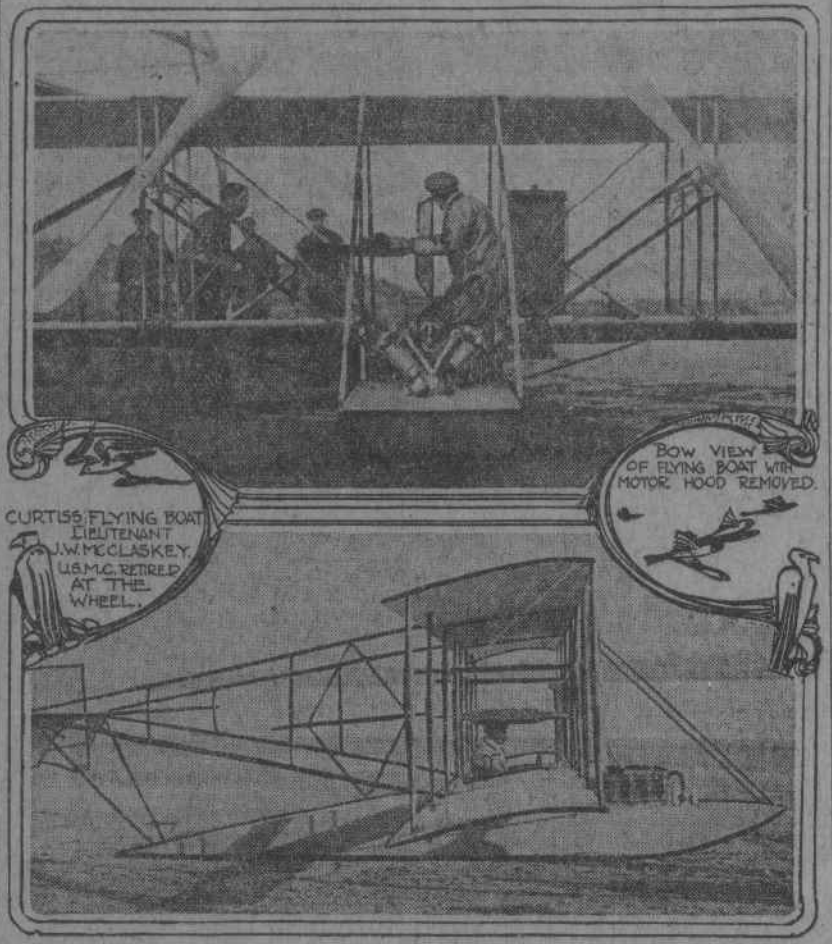
Crowd in Station, but Police Could Not Find a Witness.

Although the downtown platform was crowded when George Green, a carpenter, fifty-eight years old, met death at six o'clock last evening at Fifty-ninth street and Third avenue under the wheels of an incoming train, the police could not find an eye witness of the accident. The electric power in the third rail was shut off for ten minutes and the downtown traffic was held up for an hour before the body could be taken from under the trucks of the car.

Mr. Green lived with his wife and children at No. 341 East Fifty-eighth street, Three Mills Connecticut Man.

PLAINFIELD, Conn., Friday.—News reached Unassisted today that Louis P. Demare, a resident of that town, who is in the lumber business in Canada, had been killed by a falling tree.

Glenn H. Curtiss Ready to Build Transatlantic Flying Machine



Encouraged by the Success of New Winged Boat in Which He Made Fast Flight.

Glenn H. Curtiss is greatly encouraged by the successful trial last Tuesday of his new flying boat, designed for naval use. He has wired from San Diego to his New York office that in view of the success of this new machine he considers transatlantic flight possible, and is willing to undertake the construction of a machine for the purpose, provided any of the aviators now considering the flight wish him to do so.

Pictures of the new craft, which is said to have made sixty miles an hour in the air and fifty miles an hour in the water, show a wide difference between it and last year's hydro-aeroplane type. The operator, Lieutenant J. W. McCloskey, U.S.M.C., retired, is seated in the cockpit of the boat instead of on the lower plane as in the hydro-aeroplane used by the navy. The boat is stout enough, Mr. Curtiss explains, to face any wind or wave that any other boat of its size will endure, while rising easily and quickly from the water. There is a bulkhead fore and aft, automatic engine starter, fuel gauge and bilge pump.

The motor also is in the boat in front of the operator. It is an eight cylinder

Curtiss, ordinarily covered by a spray hood, easily removed for repairs. In the hydro-aeroplane of last year the motor is behind the operator mounted on the framework of the plane, which are elevated several feet above the float. The motor drives two propellers by clutch and chain transmission. These are in front of the craft instead of in the rear, where the hydro-aeroplane's single propeller is placed.

Not only the engine but the fuel tank and radiator are slightly in front of the operator to his right and left, where they readily can be observed and reached without turning.

FRENCH AVIATOR KILLED.

PARIS, Friday.—The French aviator, Mons. Ruchonnet, was killed today while landing in his monoplane at Senlis, in the Department of the Oise, about thirty-two miles from Paris. A false manoeuvre with the levers caused the aeroplane to crash to the ground and Mons. Ruchonnet was killed instantly.

Mons. Ruchonnet qualified as a pilot in June, 1910, when he received a license from the Aero Club of France at the same time as Maurice Tabuteau and George Mahieu, who have made world records. At that time he flew an Antoinette monoplane, one of which was brought to this country the same year by Hubert Latham and which was seen in the international races at Belmont Park.

M'MANIGAL'S WIFE AIDS INVESTIGATION

Tells of First Employment by Emisary of J. J. McNamara—Wanted to Reform, but Could Not.

[SPECIAL DESPATCH TO THE HERALD.]

INDIANAPOLIS, Ind., Friday.—Details of how Ortie E. McManigal first began blowing up non-union buildings were given to the federal grand jury today by the wife of the man whose confessions sent the McNamaras to prison and started the present country wide inquiry. Later in the day the story developed concerning McManigal's efforts to quit, and the difficulty of doing so because of his previous "jobs."

Mrs. McManigal, it is said, told the jury her husband was working on a building in Detroit in June, 1907, when he was approached by an Indianapolis man, who declared he was authorized to act by J. J. McNamara, then secretary of the International Association of Bridge and Structural Ironworkers.

Questions were asked the wife concerning the method in which McManigal carried explosives in the streets of Chicago, Pittsburgh and Buffalo, N. Y., while he was searching for "open shop" buildings. Chicago, it is declared, was the place where McManigal met other men and went over his plans.

Men who came from Buffalo and Pittsburgh and whose identity was concealed were taken before the grand jury and questioned about the men involved with McManigal.

Photographs of the places blown up are in the possession of the federal authorities, and the grand jury heard that J. J. McNamara obtained them whenever possible to keep a check on McManigal, that he might be certain about "fees" paid out of the \$1,000 monthly fund.

It is believed the Pittsburgh witnesses were questioned about McManigal's presence at McKee's Rocks, Pa., which is not far from Rochester, Pa., where McManigal has admitted stores of dynamite were kept.

It was just before he went to Buffalo, McManigal has declared, that he tried to change his business, but while he was in his home in Chicago a man visited him and he was warned not to.

This man's name is known to the government. He is said to have told McManigal he had already gone too far and could not afford to quit because of the earlier "jobs."

Then, McManigal says, they both went to Buffalo.

Zero in Satan's Kingdom.

[SPECIAL DESPATCH TO THE HERALD.]

WINGED, Conn., Friday.—Although its name implies that it is a hot plate, Satan's Kingdom, a small hamlet in the town of New Hartford and lying between his rich in asbestos deposits, did not escape the severe cold wave this week. The mercury has registered below zero there, and for the first time in the memory of oldest inhabitants of Satan's Kingdom water pipes were frozen solid this morning.

Children Have Pneumonia.

NEWARK, N. Y., Friday.—One child is believed to be dying and nine others are seriously ill with pneumonia at the Home of Friendless here. It is feared that others of the thirty children may become afflicted. Four extra nurses have been employed.

DR. NEFF WINS IN HOSPITAL FIGHT

Charges Preferred Against Him in Red Cross Dispute Dismissed by Medical Society.

Dr. Louis K. Neff, it was learned yesterday, has been victorious over his foes on the staff of the Red Cross Hospital, at Central Park West and 100th street, as the charges made against him by several of them have not been sustained.

The Board of Censors of the New York County Medical Society heard the accusations made against Dr. Neff. It was alleged he had done an injustice to a fellow physician in making an investigation of the administration of phenacetine to a patient. The institution received a large sum of money from William T. Wardwell, of Standard Oil fame, on the condition that it was practically to administer alcohol or habit forming drugs.

There seemed to Dr. Neff to have been an apparent violation of this rule in one case, and as president of the Medical Board he started an inquiry, as the institution hoped to receive another large sum if the conditions of the deed of gift were strictly observed. It developed that there had been a change in the remedy used and a mistake in the chart, so that no harm was done.

The physician concerned in the hospital investigation asserted that Dr. Neff had been informed of the change by nurse and had not told about it. This and other matters of a technical nature became the basis of the charges over which the Board of Censors of the County Medical Society had a session last month which lasted nearly all night. The censors voted, after hearing much testimony, that the charges against Dr. Neff were as absurd as they were complicated and groundless.

When it became known that Dr. Neff had won there were several resignations from the staff, and it is an open secret that he is now in control of the situation.

"With the withdrawal of malcontents," said Dr. Neff yesterday, "peace reigns among the staff and the physicians and the Board of Trustees are now in complete accord. The institution is well equipped and with the reorganization it seems to me that its future will be very bright. The charges against me were as absurd as they were complicated and groundless. I was desirous that the most thorough investigation should be made and that was what was done. The result is that I have been completely exonerated."

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YALE IS ALARMED BY 'TURKEY TROT'

Fear Objectionable Dance May Make Junior Promenade Notorious Instead of Famous.

[SPECIAL DESPATCH TO THE HERALD.]

NEW HAVEN, Conn., Friday.—The dignified and conventional element of Yale University is alarmed by the possibility of receiving a shock at the junior promenade next Tuesday. They are asking themselves what would happen if a score or more of the dancers on the floor of the Second Regiment Armory, Tuesday night, would start the turkey trot, the grizzly bear or the bunny hug.

The Yale News, the mentor of the university, has issued a solemn warning. In an editorial today the News reminds the college that the promenade is an institution and that for ages "it has been distinguished by the absence of any intoxicating concoctions." Continuing, the editorial says: "Radiant souls may feel the crying need

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POLICEMAN SHOTS MOTHER.

Was Cleaning His Pistol When It Was Discharged.

While cleaning his revolver in the kitchen of his home, at No. 87 Eighth avenue, yesterday morning, Policeman Byron Kilbride discharged the weapon and the bullet entered the right shoulder of his mother, Mrs. Esther Kilbride, who was preparing breakfast. Mrs. Kilbride was taken to St. Vincent's Hospital.

Kilbride ran out of the house and stopped at the office of a nearby physician, who, he said, refused to attend to the case because it was a gun shot wound. He met refusal from another physician on the same grounds, and then he telephoned Police Headquarters for an ambulance. Mrs. Kilbride's condition is serious.

SIXTY-SEVENTH ANNUAL REPORT NEW YORK LIFE

INSURANCE COMPANY
346 Broadway, New York

Balance Sheet, January 1, 1912

ASSETS		LIABILITIES	
Real Estate	\$ 10,616,711.90	Policy Reserve	\$566,919,308.00
Loans on Mortgages	116,298,828.50	Other Policy Liabilities	7,859,006.23
Loans on Policies	113,516,068.47	Premiums and Interest prepaid	3,885,585.50
Bonds (market value Dec. 31, 1911)	421,122,821.04	Commissions, Salaries, Taxes, etc.	1,267,423.53
Cash	7,284,253.12	Dividends payable in 1912	11,690,143.32
Premiums in course of collection	7,724,950.65	Reserve for Deferred Dividends	83,064,153.00
Interest and rents due and accrued	8,121,577.82	Reserves for other purposes	10,979,416.32
Total	\$684,684,686.50	Total	\$684,684,686.50

TO THE POLICY-HOLDERS:

Within the year just closed the Insurance Department of New York has examined the Company. The examination went much deeper than the mere question of solvency and a correct statement of assets and liabilities. It went to questions of economy, efficiency and especially to the attitude of the Executive Officers toward the rights of policy-holders, the laws of the State and the regulations of the Department.

It would not be possible for me by any use of statistical tables, ratios or comparisons to present a statement so luminous and convincing as that made by Honorable William H. Hotchkiss, Superintendent of Insurance, at the close of his examination.

It is the last word in State supervision—impartial but just—constructed on the sound theory that it is as much the duty of a public official to commend fine public service as it is to denounce wrong-doing or inefficiency. The muckraker will find nothing interesting in it. You will. It is, therefore, printed below in full.

Lawrence P. Kingsley

New York, Jan. 10, 1912.

PRESIDENT.

(Copy of Memorandum filed at Albany, December 9, 1911, by Hon. Wm. H. Hotchkiss, Superintendent of Insurance.)

State of New York—Insurance Department

IN THE MATTER OF THE EXAMINATION OF THE MEMORANDUM OF THE SUPERINTENDENT NEW YORK LIFE INSURANCE COMPANY

It is thought proper to file with the report on the examination of the New York Life Insurance Company, dated November 21, 1911, the following memorandum:—

The examination of this Company, now completed, is the second since the enactment of the amendatory laws of 1906. It is even more complete and painstaking than was the examination of three years ago.

The New York Life is one of the great life insurance companies under the supervision of this department. As of December 31, 1910, such Company had assets approximating closely to \$650,000,000, outstanding insurance exceeding \$2,000,000,000, and an annual premium income of about \$80,000,000. It disbursed to policy-holders in 1910